

REPORT AMENDED BY CPC 10-8-87
CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

| | | | | | | |
|---------------------|---|-------------|---------|-----------|-----------|--------|
| APPLICANT | JOHN R. WAHL, 8400 Moravian Court, Sacramento, CA 95826 | | | | | |
| OWNER | JOHN R. WAHL, 8400 Moravian Court, Sacramento, CA 95826 | | | | | |
| PLANS BY | JOHN R. WAHL, 8400 Moravian Court, Sacramento, CA 95826 | | | | | |
| FILING DATE | 7/31/87 | ENVIR. DET. | 8/31/87 | NEG. DEC. | REPORT BY | DJH-vf |
| ASSESSOR'S-PCL. NO. | 050-0020-041 | | | | | |

- APPLICATION:**
- A. Negative Declaration
 - B. Rezone 0.52+ developed acres from Limited Commercial (C-1) zone to General Commercial (C-2) zone.

LOCATION: 4500, 4502, 4504, 4506 Brookfield Drive

PROPOSAL: The applicant is requesting the necessary entitlements to rezone an existing C-1 commercial lot to C-2 in order to allow a wider range of permitted commercial uses.

PROJECT INFORMATION:

| | |
|---|-----------------------|
| 1974 General Plan Designation: | Commercial |
| 1986 South Sacramento Community Plan Designation: | General Commercial |
| Existing Zoning of Site: | C-1 |
| Existing Land Use of Site: | Retail Store Building |

| Surrounding Land Use and Zoning: | Setbacks: | Required | Provided |
|----------------------------------|------------|----------|----------|
| North: Apartments; R-3 | Front: | 0' | 80' |
| South: Apartments; R-3 | Side(Int): | 0' | 0' |
| East : Day Care Center; C-2 | Side (St): | 15' | 20' |
| West : Circle K Market; C-2 | Rear: | 15' | 25' |

| | |
|----------------------------------|----------------------------------|
| Parking Required: | Previously approved |
| Parking Provided: | Previously approved |
| Property Dimensions: | 150' deep x 125' width |
| Property Area: | 0.51+ acre |
| Square Footage of Building: | 5,500 sq. ft. |
| Height of Building: | One story |
| Topography: | Flat |
| Street Improvements & Utilities: | Existing |
| Exterior Building Materials: | Concrete block; glass storefront |
| Roof Material: | Tar and paper |

BACKGROUND INFORMATION: The subject site was previously zoned R-3 prior to action by the City Council in 1965 to rezone the site to Limited Commercial (C-1) zone (P-2389 approved 10/14/65 by the City Council). The existing site was formerly used by Circle K for a convenience market until they relocated to the property due west of the project site. The Planning Commission approved the new Circle K mini-market and gas station on January 10, 1985 (P85-008).

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Since Circle K left the project site, the building's owner has had difficulty in attracting tenants who are allowed by right in the C-1 zone. The applicant is requesting a rezone to C-2 so that a wider range of permitted commercial uses would be allowed. Since construction of the new Circle K, the visibility of the store front has been hampered.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is designated for General Commercial uses in the 1986 South Sacramento Community Plan and is currently zoned Limited Commercial (C-1) zone. Surrounding land uses include a 24 hour Circle K market with gasoline pumps to the west, a day care center to the east and apartments to the north and south.

B. Rezone Analysis

When the subject site was rezoned from R-3 to C-1 in 1965, the rationale for establishing a Limited Commercial zone was to provide a buffer from the Commercial C-2 zoned property along Franklin Boulevard to the west and the Multiple Family and Single Family uses and zoning to the east. The Planning Commission has historically placed C-1 zoning in areas where residential land uses may be adversely affected by incompatible uses allowed in the C-2 zone.

Staff has field inspected the site and discussed with the applicant the range of uses allowed in the C-1 zone which may be attracted to the site. The applicant has received inquiries from prospective tenants who are not allowed in the C-1 zone, but are allowed in the C-2 zone. The applicant understands the purpose of placement of light commercial uses adjacent to residential land uses, however, he states that since 1965, the neighborhood has changed where gangs now roam the neighborhood and the apartments create more of a nuisance than commercial tenants.

Staff noted where the board fence located to the south of the subject site has been destroyed by tenants of the apartments in order to provide a short cut to the Circle K or Shell gas station located along Franklin Boulevard. Activities of area residents and the poor security provided at the site due to placement of the Circle K building creates problems beyond control of the zoning.

Staff suggested that the applicant construct a solid masonry wall, six feet in height similar to the Circle K masonry wall. The applicant did not feel the construction of a wall would prevent trespassing as it currently exists.

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Staff also recommended that the site be improved with security fencing or wrought iron gates. The applicant questioned as to how long such improvements would last with gang activities in the area.

Irrespective of the suggestions to enhance onsite security, the applicant does not wish to be limited to C-1 uses for his property. Staff noted the the day care center is also zoned Limited Commercial (C-1) zone. Since property to the north and south is developed with apartments any change in zoning to allow those uses in the C-2 zone may create adverse impacts on the neighbors. Staff does not support the request for rezoning to a more intensive commercial zone, the C-2 zone, since those uses would contribute more to nuisance and health threatening activities to residents adjacent to the site than uses allowed in the C-1 zone. The C-1 zone should be retained as a buffer zone separating the commercial uses along Franklin Boulevard from the residential uses located along Brookfield Drive.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined the the project will not have a significant adverse impact on the environment and has filed a Negative Declaration.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration.
- B. Recommend denial of the rezoning from Limited Commercial (C-1) to General Commercial (C-2) zones for property shown and described in the attached exhibits.

The Planning Commission approved the rezoning to C-2-R, subject to the following conditions:

1. The property shall be restricted to the following uses in addition to those uses allowed in the C-1 zone:
 - a. dance, music, voice studio
 - b. furniture refinishing
 - c. nursery for flowers and plants (indoors only)
 - d. printing and blueprinting - copy shop
 - e. retail stores and services
 - f. sign shop (inside building)
 - g. janitorial service
2. Detached signage in the C-2-R zone shall be limited to one detached monument sign no higher than 12' as measured from the top of sidewalk. Design and location shall be reviewed and approved by the Planning Director prior to issuance of sign permits.

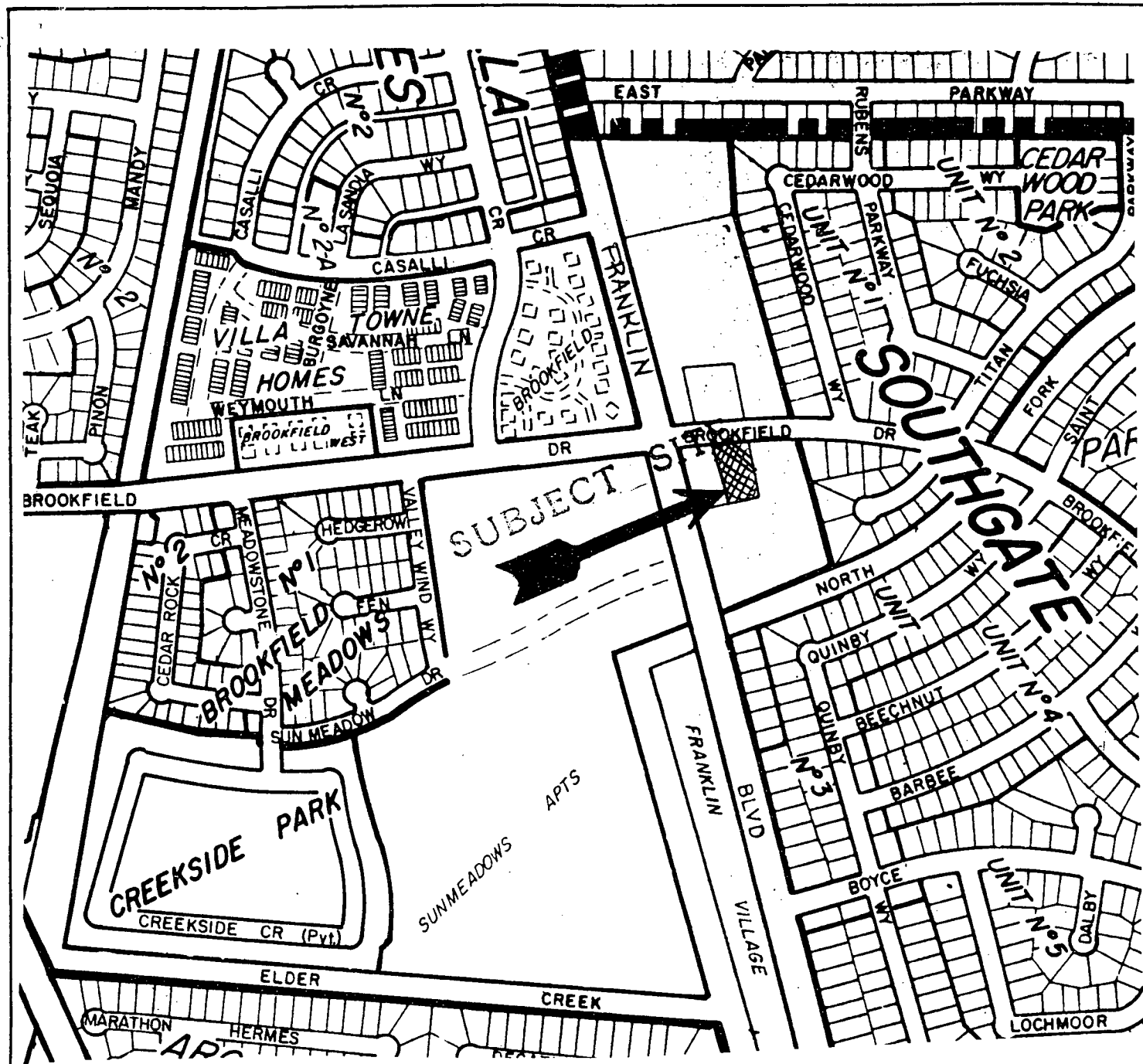
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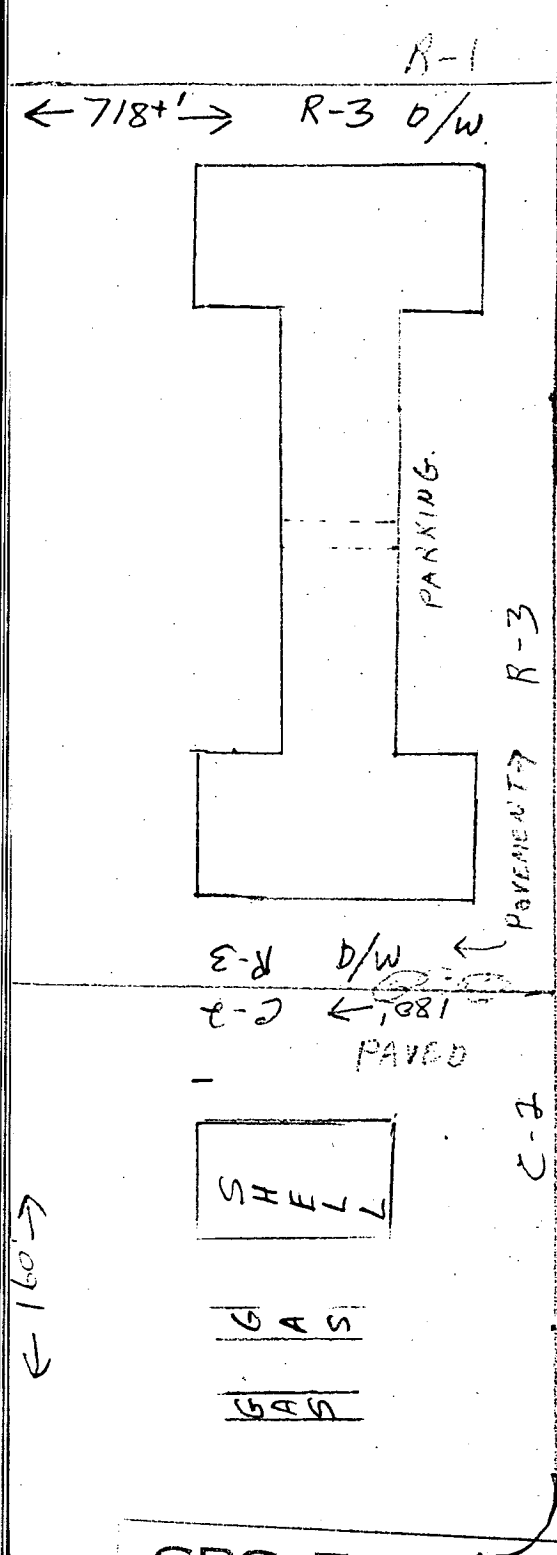
VICINITY MAP

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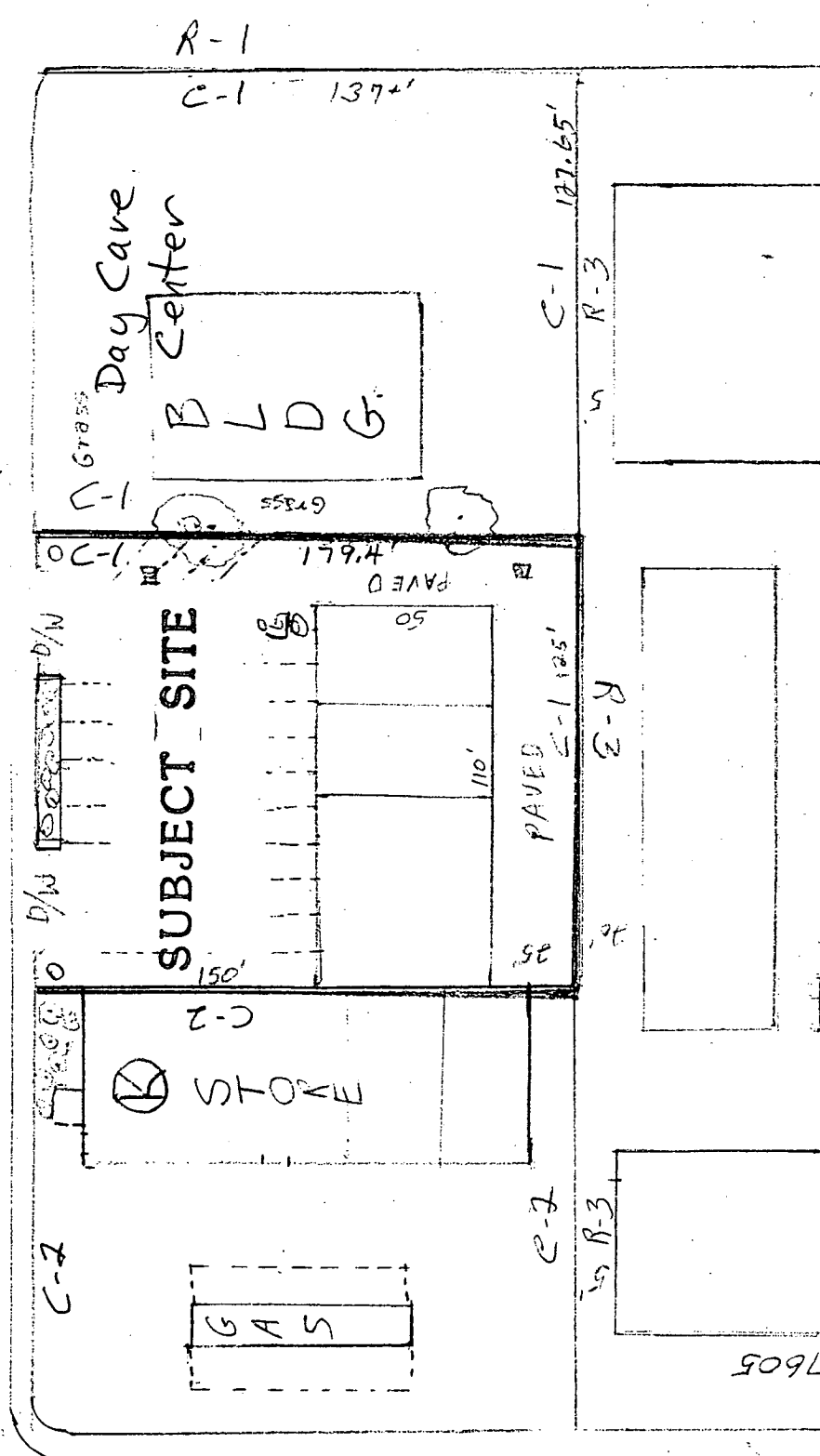
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SITE PLAN



Brookfield Drive
J. R. WAHL PROPERTY
1"=50'



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APPL. NO. **P87350**
EXHIBIT NO. _____
MTG. DATE(S) _____
AGENDA NO.(S) _____
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REZONE EXHIBIT LEGAL DESCRIPTION

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PARCEL 1:

All that portion of Section 5, Township 7 North, Range 5 East, M.D.B. & M., described as follows:

BEGINNING at a point on the center line of Brookfield Drive a public street 60.00 feet in width, said point of beginning lies North $14^{\circ} 53' 55''$ West 30.36 feet and South $80^{\circ} 18' 26''$ West 128.52 feet from the Northwest corner of Lot 61, as shown on the "Plat of Southgate Meadows Unit No. 1", recorded August 2, 1963, in Book 72 of Maps, Map No. 10, Records of said County; thence from said point of beginning, South $15^{\circ} 00' 33''$ East, 179.45 feet; thence South $74^{\circ} 55' 50''$ West 125.00 feet to the Southeast corner of the property described in the deed to Gulf Oil Corporation of California, recorded July 25, 1962, in Book 4486 of Official Records, Page 294; thence along the East line of said property, North $15^{\circ} 00' 33''$ West 180.00 feet to a point on the center line of said Brookfield Drive; thence along said center line North $74^{\circ} 55' 50''$ East, 90.77 feet; thence continuing along said center line on the arc of a curve continuing along said center line on the arc of a curve to the right having a radius of 1050.00 feet, said arc being subtended by a chord which bears North $75^{\circ} 51' 52''$ East, 34.23 feet to the point of beginning, containing an area of 0.516 acres, more or less, commonly known as 4500-4506 Brookfield Drive, Sacramento, California.

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③ = See page 2-3 for Applicant's
preference for uses in
C-2 zone

TABLE 1

USES ALLOWED IN THE C-1 AND C-2 ZONES

A. Permitted Land Uses In C-1 Zone

1. Bakery (Maximum 6,400 sq. ft.)
2. Bank (Drive up window not permitted)
3. Barber/Beauty Shop
4. Cleaning, Laundry Agency
5. Convenience Market, no gasoline sales. Special Permit for extended hours.
6. Florist
7. Food Store Delicatessen- No gasoline sales
8. Laundromat - Self Service Cleaner
9. Offices
10. Medical Clinic or Office
11. Photographic Studio
12. Prescription Pharmacy Optician
13. Reducing Salon - Masseur, Racquetball, Judo School
14. Restaurant-Bar (Drive-up window not permitted)
15. Retail Stores and Services - the following retail sales and services are not permitted: auto sales, rental and service, auto paint and repair, equipment, tool sales and rental yard, furniture stores, lumber yard, machine shop, mini-storage, pet shop, printing, blueprinting and reproduction, RV storage yard.
16. Christmas Tree Sales Lot
17. Bed and Breakfast
18. Bar
19. Appliance repair shop

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B. Use requiring a Special Permit in C-1 but allowed in C-2

1. Indoor amusement center
2. Dance, Music, Voice Studio

C. Uses Permitted, by right, in C-2 and not in C-1 Zone

- ① Indoor Amusement Center
- ② Auto Sales
3. Bakery can exceed 6,400 sq. ft.
- ④ Bank - can have service window (with special permit)
5. Business College Trade School
- ⑥ Cabinet Shop (inside building)
- ⑦ Commercial Cleaning Plant (6,400 sq. ft.)
- ⑧ Convenience Market - Permits gasoline sales. Special Permit for extended hours.
- ⑨ Dance, Music, Voice Studio
10. Drive-In Restaurant Food Stand
- ⑪ Equipment Rental and Sales Yard
- ⑫ Food Store Delicatessen - Permits gas sales
- ⑬ Furniture Refinishing
- ⑭ Furniture Store
15. Hotel
16. Laboratory - Medical, Dental, Optical
17. Laundry, Commercial Plant
18. Mortuary

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19. Motel
20. Nursery for Flowers and Plants
21. Parking Lot, Garage or Facility
22. Printing and Blueprinting
23. Restaurant - Drive up window allowed with Special Permit
24. Retail Store and Services - uses listed as not permitted for C-1 are permitted for C-2.
25. Service Station
26. Shop for Building Contractor
27. Sign Shop
28. Tire Shop, including recapping
29. Trailer Sales Yard
30. Used Car Lot
31. Wholesale Stores and Distributors
32. Commercial RV Storage (with Special Permit)
33. Adult Entertainment Establishment (with Special Permit)
34. Astrology and Related Practices
35. Adult Related Establishment (with Special Permit)
36. Bus and Other Transit Terminals
37. Mini Storage (with Special Permit)
38. Towing Service and Vehicle Storage Yard (with Special Permit)
39. Janitorial Service